

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: NORTH SEA BRENT CRUDE OIL
FUTURES LITIGATION

1:13-md-02475-ALC

This document applies to:

Case Nos. 13-cv-03473-ALC, 13-cv-03587-ALC, 13-cv-03944-ALC, 13-cv-04142-ALC, 13-cv-04553-ALC, 13-cv-04872-ALC, 13-cv-04938-ALC, 13-cv-05577-ALC, 13-cv-07089-ALC, 13-cv-08030-ALC, 13-cv-08151-ALC, 13-cv-08179-ALC, 13-cv-08240-ALC and 13-cv-08270-ALC.

**SUPPLEMENTAL DECLARATION OF ANTHONY F. FATA IN SUPPORT OF
TRADER PLAINTIFFS' OPPOSITION TO STATOIL'S
MOTION TO DISMISS & MOTION *IN LIMINE*
TO EXCLUDE THE OPINIONS OF STATOIL'S EXPERT, DR. CULP**

I, ANTHONY F. FATA, hereby declare as follows:

1. I am a member in good standing of the Illinois bar, and have been admitted *pro hac vice* in this matter. I am a Partner in the law firm Cafferty Clobes Meriwether & Sprengel LLP, counsel for the Trader Plaintiffs in the above-captioned action. I make this declaration in further support of (i) the Trader Plaintiffs' Opposition to Statoil's Motion to Dismiss for Lack of Subject Matter Jurisdiction under the Foreign Sovereign Immunities Act and for Failure to State a Claim and (ii) the Trader Plaintiffs' Motion *in Limine* to Exclude the Opinions of Statoil's Expert, Dr. Culp. [ECF Nos. 254 and 256].

2. The Trader Plaintiffs' Memorandum in Support of their Motion *in Limine* to Exclude the Opinions of Statoil's Expert, Dr. Culp [ECF No. 256], on page 18, states:

But the key anecdote that he overlooks is that Platts itself boasts of the direct relationship between its assessments and futures prices: "Futures settlements are often tied to spot market Platts covers," and "Derivatives 'price out' against Platts spot price assessments or futures settlements." *See* Platts Oil Benchmarks & Price Assessment Methodology, October 4, 2012 – London."

The Platts document referenced in the brief, however, was inadvertently omitted from the Declaration of Anthony F. Fata [ECF No. 258] filed with the brief. Attached hereto as **Exhibit J** is a true and correct copy of the Platts Oil Benchmarks & Price Assessment Methodology, October 4, 2012 – London. The page numbers in the lower right corner have been added for the Court's and the parties' convenience. The language quoted above appears on page 7 of the document.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 12th day of December, 2014 in Chicago, Illinois

s/ Anthony F. Fata
Anthony F. Fata (admitted *pro hac vice*)
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Counsel for Plaintiffs and the Proposed Class

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was forwarded to all counsel of record through the Court's ECF system on December 12, 2014.

/s/ David E. Kovel
David E. Kovel